

United States District Court

for

District of South Carolina

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DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON, SC

Request for Modifying the Conditions or Term of Supervision with Consent of the Offender (Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Alan Roy Walker

Case Number: 2:15CR00665-001

Name of Sentencing Judicial Officer: The Honorable Patrick Michael Duffy, Senior U.S. District Judge

Date of Original Sentence: March 30, 2017

Original Offense: Travel in Interstate Commerce for Purpose of Engaging in a Sexual Act with a Minor, in violation of Title 18, USC, § 2423(b)

Original Sentence: 57 months imprisonment followed by 60 months supervised release.

Type of Supervision: Supervised Release

Date Supervision Commenced: Projected May 1, 2019

Previous Court Action/Notification: None

PETITIONING THE COURT

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To extend the term of supervision for _____ years, for a total term of _____ years.

☒

To modify the conditions of supervision as follows:

1. The defendant shall not associate, or have verbal, written, telephonic or electronic communication, with persons under the age of eighteen, except in the presence of a responsible adult who is aware of the nature of the defendant's background and current offense, and who has been approved by the probation officer. This restriction does not extend to incidental contact during ordinary daily activities in public places.
2. A United States probation officer may conduct a search of the defendant and of anything the defendant owns, uses, or possesses if the officer reasonably suspects that the defendant has violated a condition of supervised release and reasonably suspects that evidence of the violation will be found in the areas to be searched. Searches must be conducted at a reasonable time and in a reasonable manner. Failure to submit to a search may be grounds for revocation of release.

3. Defendant shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product is alcoholic beverages, and shall not use any medication containing alcohol without permission from the supervising officer or a prescription from a licensed physician.
4. Defendant shall not use or possess any controlled substance, alcohol or other intoxicant; and shall participate in a program of drug and alcohol abuse therapy to the supervising officer's satisfaction. This shall include testing to determine if Defendant has used drugs or intoxicants. Defendant shall pay/co-pay for services during such treatment to the supervising officer's satisfaction. Defendant shall not obstruct or tamper, or try to obstruct or tamper, in any way, with any tests.

CAUSE

The defendant has requested to have his supervision transferred to the District of Maine to live with his parents. The District of Maine has agreed to accept supervision of the defendant's case provided that the defendant agrees to the above listed modifications. The defendant has yet to be released from the Bureau of Prisons and agreed to the modification in order to report to the District of Maine upon his release from custody. In addition, the District of Maine has requested that transfer of jurisdiction be initiated.

Respectfully submitted,

By: John Marshall Bunch
John Marshall Bunch
U.S. Probation Officer
Date: March 16, 2018

Reviewed and Approved By:

Gregory S. Russ
Gregory S. Russ
Supervising U.S. Probation Officer

THE COURT ORDERS:

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No action.

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The extension of supervision as noted above.

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The modification of conditions as noted above.

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Schedule a status conference

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Other



Patrick Michael Duffy
Senior U.S. District Judge

March, 19, 2018

Date

UNITED STATES DISTRICT COURT

Port Royal, District of South Carolina

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation/Supervised Release or my period of supervision being extended. By "assistance of counsel", I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation/Supervised Release or to the proposed extension of my term of supervision:


The defendant shall not associate, or have verbal, written, telephonic or electronic communication, with persons under the age of eighteen, except in the presence of a responsible adult who is aware of the nature of the defendant's background and current offense, and who has been approved by the probation officer. This restriction does not extend to incidental contact during ordinary daily activities in public places;

A United States probation officer may conduct a search of the defendant and of anything the defendant owns, uses, or possesses if the officer reasonably suspects that the defendant has violated a condition of supervised release and reasonably suspects that evidence of the violation will be found in the areas to be searched. Searches must be conducted at a reasonable time and in a reasonable manner. Failure to submit to a search may be grounds for revocation of release;

Defendant shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product is alcoholic beverages, and shall not use any medication containing alcohol without permission from the supervising officer or a prescription from a licensed physician;

Defendant shall not use or possess any controlled substance, alcohol or other intoxicant; and shall participate in a program of drug and alcohol abuse therapy to the supervising officer's satisfaction. This shall include testing to determine if Defendant has used drugs or intoxicants. Defendant shall pay/co-pay for services during such treatment to the supervising officer's satisfaction. Defendant shall not obstruct or tamper, or try to obstruct or tamper, in any way, with any tests.

Witness:


A. Richardson^{CS} P. Surowaniec
Case Manager

Signed:


Alan Roy Walker
Probationer or Supervised Releasee

Date 3-14-18